

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

DERRICK L. BRYANT

v.

JACK MORGAN, Warden

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NO. 2:05-CV-187

JUDGMENT ORDER

In accordance with the accompanying memorandum opinion, the respondent's motion to dismiss is **GRANTED** (Doc. 9); this *pro se* petition for a writ of habeas corpus, 28 U.S.C. § 2254, is **DISMISSED** (Doc. 1); and the petitioner is **DENIED** an application for a certificate of appealability ("COA"). 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b).

Finally, the Court **CERTIFIES** that any appeal from this decision would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

IT IS SO ORDERED.

ENTER:

s/ Leon Jordan

United States District Judge

ENTERED AS A JUDGMENT

s/ Patricia L. McNutt

CLERK OF COURT